

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

ASSIST-2-SELL, INC.,)
Plaintiff/Counter-Defendant,)
v.)
ASSIST-2-BUILD, LLC; ASSIST-U-REALTY) No. 1:05-CV-193
LLC; ANGELA OLIVER; and, TERRY) Judge Curtis L. Collier
OLIVER,)
Defendants/Counter-Plaintiff.)

ORDER

In accordance with the accompanying memorandum:

(1) Plaintiff Assist-2-Sell Inc.'s ("Plaintiff") motion to dismiss Defendants' counterclaim (Court File No. 13) is **GRANTED IN PART** with respect to Defendants' claim for tortious interference based on Plaintiff's filing of the current action, accordingly, this claim is **DISMISSED**; and

(2) Plaintiff's motion to dismiss Defendants' counterclaim (Court File No. 13) is **DENIED IN PART** with respect to Defendants' claims for tortious interference based on the stealing of the signs and disrupting the open house and Defendants' claim for slander.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE